

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Edgardo Gallardo, a/k/a Pablo Valladares,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 7:12-1547-TLW-JDA
)	
Spartanburg Administrator, County of, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

ORDER

Plaintiff Edgardo Gallardo (“Plaintiff”), proceeding *pro se*, brings this civil action construed as pursuant to 42 U.S.C. § 1983. (Doc. # 1).

The matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by Magistrate Judge Jacquelyn D. Austin to whom this case had previously been assigned. In the Report, the Magistrate Judge recommends that Plaintiff’s Complaint be dismissed as against Defendants Hon. J. Derham Cole, County of Spartanburg Administrator, Attorney General Henry McMaster and Director of SCDC Jon Ozmit. (Doc. # 25). Objections were due by October 9, 2012. Plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. # 25). The Complaint is therefore **DISMISSED IN PART**; specifically, Plaintiff's Complaint is dismissed without prejudice and without issuance and service of process as to Defendants Hon. J. Derham Cole, County of Spartanburg Administrator, Attorney General Henry McMaster and Director of SCDC Jon Ozmit. The Complaint should be served on the remaining three Defendants.

IT IS SO ORDERED.

October 19, 2012
Florence, South Carolina

s/Terry L. Wooten
United States District Judge